

HAMPTON PLANNING BOARD

Draft Minutes

October 3, 2007 – 7:00 p.m.

Town Office Meeting Room

PRESENT: Tracy Emerick, Chair
Robert Viviano, Vice-Chair
Fran McMahon, Clerk
Keith Lessard
Bill Faulkner
Donna Mercer, Alternate
Bill Bilodeau, Alternate
James Steffen, Town Planner

ABSENT: Tom Higgins
Jim Workman, Selectman Member

I. CALL TO ORDER

Chairman Emerick began the meeting at 7:00 PM by introducing the Board members and leading the Pledge of Allegiance to the flag.

II. ATTENDING TO BE HEARD

Chairman Emerick recused himself.

Peter Southwick

387 Lafayette Road

Change of Use: Part of Beauty Salon change to Office for Firearms Distributor, with Federal Firearms License, no retail, and no ammunition on premises.

Map 160 Lot 34

Owner of Record: Pevzodiac, LLC

APPLICANT

Mr. Southwick is a broker for several security agencies and departments. Mr. Southwick occasionally receives shipments, but his business is not a retail store. There is no ammunition on site and there will be no signage. The business is setup up as a distributorship. Mr. Southwick is switching from renting to owning his own space. He stated that it is a very low profile business.

BOARD DISCUSSION

The board asked if the condominium association knows about the requested change of use. It was also asked who regulates this type of business.

Mr. Southwick stated that the business is regulated on both the Federal and State levels.

There was discussion regarding securing of the firearms and what measures would be taken if firearms were to be stored overnight.

HAMPTON PLANNING BOARD

Draft Minutes

October 3, 2007 – 7:00 p.m.

Town Office Meeting Room

MOVED by Mr. Lessard to continue the application to the October 17th meeting to research the regulations regarding the storage of firearms with respect to the existing business on Lafayette Road.

SECOND by Mr. McMahon

VOTE: 4-1-0 Ms. Mercer opposed the motion. **MOTION PASSED**

III. NEW PUBLIC HEARINGS – PLANNING BOARD APPLICATIONS

07-082 Hampton River Marina

55 Harbor Road

Special Permit to Impact Wetlands Conservation District:

Replace falling riprap along inner Marina basin and to replace failed bulkhead (bulkhead work already performed)

Hampton River Marina

Map 295 Lot 1

APPLICANT Applicant was not present.

MOVED by Mr. Lessard to continue this application to the November 7, 2007 meeting.

SECOND by Mr. Viviano

VOTE: 6-0-0 **MOTION PASSED**

07-083 Olde Hampton Village

340 Lafayette Road

Site Plan Review

Parking Lot Expansion and Drainage Rehab.

Pegasus Management Corp.

Map 175 Lot 8

Owner of Record: Narcissus Real Estate, LLC

APPLICANT

Mr. Rick Russ – Managing Agent for Narcissus Real Estate with Andy Nowacki from Ames MSC. Mr. Russ explained that Olde Hampton Village is 30-years old and the amount of parking is insufficient. He further explained that the area is in disrepair, and the reconstruction of the parking lot will accomplish two items: additional parking spaces and place utilities underground.

Mr. Andrew Nowacki – Ames MSC. He identified the site and explained the addition of 49 parking spaces distributed between the two new parking areas. He noted that they would be upgrading the drainage system and utilities. The plan is to regrade and repave the old parking areas. He indicated that they will be utilizing several areas of the existing drainage system but will be creating two underground detention areas. The plan is to direct the water into the new underground drainage systems. The two underground drainage areas will then release into the riprap swale located in the southwest corner of the lot. The nothwest parking area will be

HAMPTON PLANNING BOARD

**Draft Minutes
October 3, 2007 – 7:00 p.m.
Town Office Meeting Room**

pervious pavement and all water will drain naturally. He also identified on the plan the areas, which will receive new landscaping.

BOARD DISCUSSION

Mr. McMahon asked the applicants where the snow storage areas are located. Mr. Russ identified on the plan the areas where snow previously has been stored and will continue to be stored.

Mr. McMahon asked about the pervious pavement, and if the land were frozen where would the water flow.

Mr. Nowacki stated the flow of the water would continue to follow the establish drainage pattern and flow towards the southwest corner of the property.

Mr. Lessard asked Mr. Nowacki where he has used this type of pavement, Mr. Nowacki responded that he personally has not utilized it previously; however, UNH is presently utilizing this new technology.

There was discussion about the calculations of the amount water generated for the property, and did it include the pervious pavement; do the calculations include the time of year that the land is frozen and the land that is pervious pavement.

Mr. Steffen asked about landscaping for the buildings in the southern end of the property. Mr. Russ explained the previous owner did not believe in planting trees, but he is looking into increasing the amount. He indicated that the cost would drive the amount of additional landscaping.

MOVED by Mr. Viviano to accept jurisdiction and send out for departmental review, utilities review and outside engineering review, including the conservation commission. The application was continued until the November 21, 2007 Planning Board meeting.

SECOND by Mr. Lessard

VOTE: 6-0-0 MOTION PASSED

Gilles Houle
375 Ocean Boulevard
Site Plan Review
Commercial Retail Plaza
Map 275 Lot 8 & 17

APPLICANT

Peter Saari, Lisa DeStefano and Joe Coronati are representing the applicant Gilles Houle.

HAMPTON PLANNING BOARD

Draft Minutes October 3, 2007 – 7:00 p.m. Town Office Meeting Room

Mr. Coronati passed out a colored plan outlining the project and photos of the area.

Mr. Saari briefly explained the proposal for the two story commercial building. There is one legal issue regarding the property which will be resolved with the owners as soon as possible.

Mr. Coronati described the project. The courtyard will be bricked with the drainage system located under the courtyard, as the soils are very good for drainage. Almost all of the stormwater will be contained on the property. Trash will be located in the back of the building. Screening and buffering details will be applied to the dumpster area.

Mr. Lessard mentioned that the plan would need to show more detail on the recycling area and dumpsters. Mr. Coronati agreed.

Ms. DeStefano explained the concept of the courtyard and how it will draw people into the area. The design of the back of the building is architecturally detailed to give a good feel and be reflective of the residential neighborhood. She also noted that there are additional windows in the back of the building, however, the amount of windows are limited due to the fire code - the design uses the maximum amount allowed. The design of the building is in keeping with the scale of the residential community. Ms. DeStefano explained that she has applied a lot of aesthetic detailing to the building, to keep the scale and proportion down, using layers of detail, awnings, etc. She explained that within the courtyard the intent of the design is to create individual storefronts.

BOARD

Mr. Lessard asked if the project is solely commercial. Yes to the question. Mr. Lessard asked about the color of the building. Ms. DeStefano stated that it will be more terra-cotta in color.

Ms. DeStefano explained that there will not be any pedestrian access directly from Ocean Blvd - the front units do not have doors on Ocean Blvd, just windows. The development is designed with a courtyard concept and the idea is to have the pedestrian gather in the courtyard and access the retail shops from within main courtyard area. The development has not been marketed so the issue of potential restaurants wanting access for outside seating along Ocean Blvd. has not been addressed.

Mr. McMahon questioned the number of retail units. Ms. DeStefano explained that the number of the units is currently 16 and that is the maximum number of retail units. It is possible that the retail spaces would be larger and that number would be reduced.

The question of how the units would be serviced, i.e. deliveries was asked and Ms. DeStefano stated that the concept is for the courtyard to be the main point of access to all the units, for pedestrian and delivery purposes.

HAMPTON PLANNING BOARD

Draft Minutes October 3, 2007 – 7:00 p.m. Town Office Meeting Room

Mr. McMahon stated for the record that there is no on-site parking requirement for both the owners and employees.

PUBLIC

Mr. Mark Loopley - 16 Fuller Acres. He is concerned about the winter ban on parking, and where the owners and employees park will park? In addition, he feels that Waste Management will not be able to access the dumpster in the summer.

Mr. Skip Windemiller - 365 Ocean Blvd. He is concerned about ADA requirements, flood elevations, and drainage issues. Mr. Coronati, Jones & Beach Engineers stated that the base flood elevation is 11 feet and the ADA requirements will be met.

BOARD DISCUSSION

Mr. Lessard stated that Mr. Windemiller's issue on drainage is a valid concern and what type of drainage system is proposed? Is it the Storm Tech system that is being used at the Brothers North Development? Mr. Coronati stated that it is the same system as Brothers North and further described the improvements to the proposed system, which came about through the development of Brothers North.

Both Mr. Lessard and Mr. Viviano asked about the noise effect on the residential neighborhood and how it could be solved for the dumpster area. Mr. Coronati stated that a concrete wall could be constructed around the dumpster area to reduce the noise effect. Mr. Coronati explained that the design of the dumpster area was based on a worst case scenario, and the waste truck will be able to maneuver the turning area.

Mr. Viviano questioned the applicant about the parking concerns.

The Board complimented the applicant on his proposal and felt that his attempt to design a development that is keeping with Hampton Beach and the goals of the Beach.

MOVED by Mr. Viviano to accept jurisdiction and send out for departmental review, utilities review and outside engineering review, and continue the application to the November 21, 2007 Planning Board meeting.

SECOND by Ms. Mercer

VOTE: 6-0-0 MOTION PASSED

Ms. Mercer recused herself on the following applications, and alternate Mr. Bill Bilodeau sat.

07-086 Kimberly Martin-Nadeau

1062 Ocean Boulevard

Special Permit to Impact Wetlands Conservation District

Restoration of existing patio

Map 98 Lot 34

HAMPTON PLANNING BOARD

**Draft Minutes
October 3, 2007 – 7:00 p.m.
Town Office Meeting Room**

07-087 Richard Phillips

1060 Ocean Boulevard
Special Permit to Impact Wetlands Conservation District
Restoration of existing patio
Map 98 Lot 37

07-089 Robert J Carroll

1064 Ocean Boulevard
Special Permit to Impact Wetlands Conservation District
Restoration of existing patio
Map 98 Lot 30

07-089 Susan B. Moran

1066 Ocean Boulevard
Special Permit to Impact Wetlands Conservation District
Restoration of existing patio
Map 98 Lot 24

APPLICANT

Mr. Nadeau is representing all the applicants. Mr. Nadeau explained that the April storm destroyed portions of all the abutting patios and the applications request the repair of such. The selectmen have given their permission to repair the portions of the patios on Town property.

BOARD

Mr. Viviano questioned the restoration of the concrete patio and the installation of the two removable stairs to the Beach.

Mr. Nadeau responded that #1060 is the only property to have concrete; the remaining properties will have pavers and stone pavers. The concrete will be the type of permeable concrete to allow sea grass to grow through.

PUBLIC

Mr. Clint Springer, husband of Francesca Springer. Mr. Springer is in favor but has concern about installation of the sheeting, and the infringement onto his wife's property of construction equipment.

Mr. Nadeau and the Board informed Mr. Springer that the contractor who will be performing the work is bounded by the State and Town regulations to restore the area to its original state. If he has any further concerns he should address them to Mr. Nadeau and the contractor.

BOARD DISCUSSION

HAMPTON PLANNING BOARD

**Draft Minutes
October 3, 2007 – 7:00 p.m.
Town Office Meeting Room**

The Board will vote on each application separately.

07-087 Richard Phillips

1060 Ocean Boulevard

Special Permit to Impact Wetlands Conservation District

Restoration of existing patio

Map 98 Lot 37

MOVED by Mr. Lessard to grant special permit for 1060 Ocean Blvd for patio restoration to be of the following: Concrete in the patio area and the second area identified on the plan dated 05/25/07 with a revision of 09/03/07. Installation of sea grass in and around the areas that will be replaced with concrete. The stipulations of the Conservation Commission's corrected letter of October 3, 2007 shall be included in the decision.

SECOND by Mr. Bilodeau

VOTE: 6-0-0 MOTION PASSED

07-086 Kimberly Martin-Nadeau

1062 Ocean Boulevard

Special Permit to Impact Wetlands Conservation District

Restoration of existing patio

Map 98 Lot 34

MOVED by Mr. Lessard to grant special permit for 1062 Ocean Blvd for the patio restoration to be of the following: Patio pavers and grassed as identified on the plan dated 05/25/07 with a revision of 09/03/07. The patio area will be sloped/pitched westerly for drainage. The stipulations of the Conservation Commission's letter of October 3, 2007 shall be included in the decision.

SECOND by Mr. Bilodeau

VOTE: 6-0-0 MOTION PASSED

07-088 Robert J Carroll

1064 Ocean Boulevard

Special Permit to Impact Wetlands Conservation District

Restoration of existing patio

Map 98 Lot 30

MOVED by Mr. Lessard to grant special permit for 1064 Ocean Blvd. for the patio restoration to be of the following: Patio pavers and grassed as identified on the plan dated 05/25/07 with a revision of 09/03/07. The patio area will be sloped/pitched westerly for drainage. The stipulations of the Conservation Commission's corrected letter of October 3, 2007 shall be included in the decision.

SECOND by Mr. Bilodeau

VOTE: 6-0-0 MOTION PASSED

07-089 Susan B. Moran

1066 Ocean Boulevard

HAMPTON PLANNING BOARD

**Draft Minutes
October 3, 2007 – 7:00 p.m.
Town Office Meeting Room**

Special Permit to Impact Wetlands Conservation District
Restoration of existing patio
Map 98 Lot 24

MOVED by Mr. Lessard to grant special permit for 1066 Ocean Blvd. for the patio restoration to be of the following: Patio “natural” stone pavers and grassed as identified on the plan dated 05/25/07 with a revision of 09/03/07. The patio area will be sloped/pitched westerly for drainage. The stipulations of the Conservation Commission’s correct letter of October 3, 2007 shall be included in the decision.

SECOND by Mr. Bilodeau

VOTE: 6-0-0 **MOTION PASSED**

IV. CONTINUED PUBLIC HEARINGS

07-054 Nyhan, William

Special Permit to Impact Wetlands Conservation District
Construct single family home at
3 Gale Road

APPLICANT

Mr. Coronati represented the applicant. He stated that the Zoning Board of Adjustment has granted permission to allow the applicant’s septic system to be within the 75 feet of the wetlands boundary.

BOARD

Mr. Lessard questioned the fact that the Zoning Board of Adjustment has approved a plan which is not the plan that was presented to the Planning Board. He wanted to know how the ZBA would feel about that before approving this special permit request.

Mr. Coronati stated that the plan before the Planning Board is the plan that went before the Conservation Commission which they have recommended denial of.

Mr. McMahon also questioned approving a plan that has not been approved by the ZBA with reference to the relief that was granted.

The Board discussed the material context of the plan. The Board’s concern is whether the Zoning Board of Adjustment would approve the plan before the Board and suggested that the applicant appear before the ZBA with the new plan for their acceptance before the Planning Board would approve this application.

MOVED by Mr. Lessard continue the application to November 7, 2007 Planning Board, and to forward the new plan to the Zoning Board of Adjustment for confirmation on whether they would approve or disapprove the plan with respect to the zoning relief that was previously granted.

HAMPTON PLANNING BOARD

Draft Minutes October 3, 2007 – 7:00 p.m. Town Office Meeting Room

SECOND by Mr. Bilodeau

VOTE: 6-0-0 **MOTION PASSED**

07-064 Bernard Christopher

87 Barbour Road

9-lot subdivision

Map 91/92 Lot 4-1/5

Owner of Record: Arthur Brown

APPLICANT

Mr. Henry Boyd represented Mr. Bernie Christopher and Mr. Arthur Brown.

Mr. Boyd stated that Mr. Steffen has given him a challenge to try to incorporate Low Impact Development (LID) techniques into the subdivision design. He has discussed the concept of the LID with the owner and developer of the property. Both are willing to move forward with the LID, however, assurances are needed with respect to granting waivers from the new plan design.

Mr. Boyd in discussing the LID is willing to be the “guinea pig” for this type of development. Mr. Lessard suggested the word “pioneer” instead.

Mr. Boyd and Mr. Brown both spoke and requested that the Board to accept jurisdiction on the conventional plan, to show good faith, which would allow the LID plan to move forward. The LID plan would require seeking relief from the standards of subdivision regulations, such as reducing the pavement width of the roadway, no granite curbing, etc.

BOARD

Discussion among Board members on whether to accept jurisdiction and vote on the plan as submitted ensued. This would allow the plan (conventional which conforms to the Subdivision Regulations) to be in the system.

Board members discussed the issue that several department heads and the town engineer have concerns on the conventional plan. It was decided that by accepting jurisdiction, further discussion can occur on the conventional plan and the potential LID plan.

MOVED by Mr. Lessard to accept jurisdiction of Plan entitled “Plat of Land in Hampton, NH” showing “Sherburne Place A Subdivision at 87 Barbour Road” Map 91 Lot 4-1 & Map 92 Lot 5. Drawn by Eric Botterman, Professional Engineer with a signature and date of 09-13-07, and Henry Boyd, Licensed Land Surveyor signature and date of 09-25-07; containing 10 sheets. And to continue the application to the November 7, 2007 Planning Board meeting to allow the engineer to meet with the town planner, department heads, and the town engineer to achieve assurances of support and agreement on the Low Impact Development (LID) techniques of the subdivision

SECOND by Mr. Viviano

VOTE: 6-0-0 **MOTION PASSED**

HAMPTON PLANNING BOARD

**Draft Minutes
October 3, 2007 – 7:00 p.m.
Town Office Meeting Room**

V. CONSIDERATION OF MINUTES of September 19, 2007

Mr. McMahon and Ms. Mercer abstained from voting on the minutes.

Minutes corrected for page 6, paragraph of the removal of second word “that:”

MOVED by Mr. Lessard

SECOND by Mr. Viviano

VI. VOTE: 6-0-0 MOTION PASSED ADJOURNMENT

Motion to adjourn.

MOVED by Mr. Lessard

SECOND by Mr. Viviano

VOTE: 6-0-0 MOTION PASSED

Meeting adjourned at 9:17PM

Respectfully Submitted,
Kristina G. Ostman
Planning Coordinator